

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24113 of 2003

Between:

Smt. Masarrat Jahan Begum

w/o Shri Mohommad Osman Shaheed, Advocate
R/o 8-13-67/1, Opp: National Police Academy,
Shivrampalli Road, Hyderabad

..... PETITIONER

AND

1 Secretary to Govt. of India,

Ministry of Health and Family Welfare Department of
Indian System of Medicine and Homeopathy, Red Cross Bhavan,

New Delhi- 110 001.

2 Incharge Deputy Director, Central Research Institute of Unani

Medicines,

Opp: ESI Hospital, AG Colony Road, Hyderabad-38.

3 The Director of Central Council for Research in Unani Medicines,

61-65, Institutional Area,

Janakpuri, New Delhi - 110 058.

4 Dr.Mohommad Ali Mirza, R.O. (Unani), Chairman,

Hospital Development Committee,
CRIUM, Hyderabad-38.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order, direction or a writ particularly in the nature of Writ of mandamus directing the respondents 1 to 4 to immediately effect repairs in the entire building of Central Research Institute for Unani Medicine situated at Erragadda, Hyderabad, to rectify the lift system, to dig a new bore well, or fix a new motor in the already existing bore well, to fill the fire extinguishers, to conduct audit of the entire account of income and expenditure of the said Unani Center by taking inventory of existing articles, medicines in the said building and pass any other order or orders as deemed fit and proper in the circumstances of the case in the interest of justice.

Counsel for the Petitioner: MR.MOHD.OSMAN SHAHEED

Counsel for the Respondent Nos. 1 to 3: MR.A.RAJASHEKAR REDDY (SC FOR CG)

Counsel for the Respondent No.4: Mr. N.R.Devaraj.

The Court made the following :

The Court made the following Order:

(Per Hon'ble Sri Justice B. Sudershan Reddy)

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This Writ Petition is stated to have been filed in the purported public interest seeking appropriate directions directing the respondents 1 to 4 to immediately effect repairs in the entire building of Central Research Institute for Unani Medicine situated at Erragadda, Hyderabad, as well as to rectify certain defects such as lift system etc., and to ensure that the hospital is administered in proper and sound lines.

That having taken note of the averments and allegations made in the affidavit filed in support of the writ petition this Court by an Order dated 03-12-2003 directed the respondents to submit their response, pursuant to which, the Deputy Director Incharge of the Central Research Institute for Unani Medicine, filed a detailed counter affidavit explaining with reference to each of the allegations levelled in the affidavit filed in support of the writ petition.

We are satisfied with the steps that are being taken by the Incharge Director of the Institute to ensure that the hospital is running on proper and sound lines. It is not necessary to refer in detail to each of the steps taken by the respondents and the provision made to cater the needs of the patients in the hospital. It is no doubt true, as has been rightly contended by the learned counsel for the petitioner, that some of the steps appear to have been taken only pursuant to the notice issued in this writ petition. The petitioner must be given credit for inviting the attention of this Court and made certain things rectified in the hospital.

That so far as certain aspects pointed out in the affidavit filed in support of the writ petition are concerned, the hospital is not in a position to immediately attend to them in view of the paucity of funds. However, as assurance is given by the respondents, that during the next financial year the required steps shall be taken to ensure proper functioning of the hospital and to update the facilities to cater the needs of in-patients in the hospital, the statement is made part of the record.

In such view of the matter, no further directions as such for the present are required to be issued.

The writ petition is accordingly disposed of. No costs.

(B. Sudershan Reddy, J)

28..07..2004

(K.C. Bhanu, J)

vs/grr

To

- 1 Secretary to Govt. of India,
Ministry of Health and Family Welfare Department of
Indian System of Medicine and Homeopathy, Red Cross Bhavan,
New Delhi- 110 001.
- 2 Incharge Deputy Director, Central Research Institute of Unani
Medicines,
Opp: ESI Hospital, AG Colony Road, Hyderabad-38.
- 3 The Director of Central Council for Research in Unani Medicines,
61-65, Institutional Area,
Janakpuri, New Delhi - 110 058.

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THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 24113 of 2003

(Order per Hon'ble Sri Justice B. Sudershan Reddy)

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Dated: 28-07-2004

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